

Message Text

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ACTION L-03

INFO OCT-01 IO-13 ADP-00 AF-10 ARA-16 EA-11 EUR-25 NEA-10

RSC-01 OIC-04 COA-02 EB-11 CIAE-00 DODE-00 PM-07 H-03

INR-10 NSAE-00 NSC-10 PA-03 PRS-01 SS-15 USIA-15

ACDA-19 AEC-11 AGR-20 CG-00 COME-00 DOTE-00 FMC-04

INT-08 JUSE-00 NSF-04 OMB-01 TRSE-00 SCI-06 CEQ-02

RSR-01 /247 W

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R 101351Z AUG 73

FM USMISSION GENEVA

TO SECSTATE WASHDC 1110

INFO USMISSION USUN NY

AMEMBASSY MOSCOW

AMEMBASSY SOFIA

AMEMBASSY DAKAR

AMEMBASSY CANBERRA

AMEMBASSY LUSAKA

UNCLAS GENEVA 4273

E.O. 11652: N/A

TAGS: PBOR, UN

SUBJ: LOS: SEABED COMTE MEETING, SC II, WG, AUG 8, 1973

1. SUMMARY: WG AGREED ON CERTAIN PROCEDURAL MATTERS INCLUDING CONSIDERATION OF ITEMS 2.3.2, 6.5 AND 7 OF LIST TOGETHER. SOME AFRICAN STATES SUPPORTED ALTERNATIVE TEXT CONDITIONING ACCEPTANCE OF 12 MILE TERRITORIAL SEA ON ACCEPTANCE OF 200 MILE EXCLUSIVE ECONOMIC ZONE.

2. CHAIRMAN URGED DELEGATES NOT TO SUBMIT AMENDMENTS TO OTHER'S DRAFTS ARTICLES BUT TO SUBMIT ALTERNATIVE TEXTS. HE SUGGESTED PROCEDURAL COMPROMISE WHEREBY BREADTH OF TERRITORIAL SEA (ITEM UNCLASSIFIED

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2.3.2 ON LIST) WOULD BE CONSIDERED ALONG WITH LIMITS OF EXCLUSIVE

ECONOMIC ZONE (ITEM 6.5).

3. USSR SUPPORTED BY POLAND AND THE UKRAINE, STATED THAT ITEM 7 (PREFERENTIAL RIGHTS) SHOULD ALSO BE CONSIDERED WITH ITEMS 2.3.2 AND 6.5. MEXICO WANTED DISCUSSION RESTRICTED TO LIMITS.

4. US INQUIRED ABOUT TECHNICAL ASPECTS OF AMENDING PROPOSALS. WHERE THERE WAS NO ALTERNATIVE, COULD DELEGATES SUBMIT ALTERNATIVE INDICATING OTHER TEXT SHOULD BE OMITTED? US BELIEVED THAT QUESTION OF LIMITS WAS INEXTRICABLY LINKED WITH CHARACTER OF ECONOMIC REGIME AND US (SUPPORTED BY JAPAN) FAVORED DISCUSSION OF ITEM 7 WITH ITEM 6. CHAIRMAN RESPONDED THAT ONE DELEGATION SHOULD NOT COMMENT UPON ANOTHER DELEGATION'S TEXT.

5. PERU, LEBANON, UK, AND ARGENTINA AGREED WITH USSR. CHAIRMAN ANNOUNCED THAT WG WOULD PROCEED WITH DISCUSSION OF BREADTH OF TERRITORIAL SEA AND LIMITS OF ECONOMIC ZONE LEAVING LATITUDE TO THOSE DELEGATES WISHING TO DISCUSS RELATED ITEMS.

6. BULGARIA SUBMITTED ALTERNATIVE TEXT ON 12-MILE BREADTH OF TERRITORIAL SEA. MALTA PRESENTED TEXT ON FIXED AND FLOATING INSTALLATIONS ON BASIS THEY SHOULD NOT HAVE TERRITORIAL SEA. MEXICO READ TEXT PROVIDING FOR 200-MILE ECONOMIC ZONE. UK SUGGESTED REFERENCE TO BASELINES IN BULGARIAN TEXT AND BULGARIA ACCEPTED AMENDMENT.

7. BRAZIL NOTED SEVERAL ASPECTS OF ITS PROPOSAL WHICH WERE NOT INCLUDED IN NEW CONSOLIDATED TEXT. CHAIRMAN ASKED FOR BRAZIL'S ALTERNATIVES IN WRITING AND BRAZIL ASKED IF IT WAS TO RE-INTRODUCE ITS DOCUMENT. (CHAIRMAN ESSENTIALLY RESPONDED THAT IT SHOULD.)

8. CANADA EXPRESSED DOUBT ABOUT HOW ALL ALTERNATIVES ON ECONOMIC ZONE WOULD BE REFLECTED IN CONSOLIDATED TEXTS. URUGUAY ASKED IF THERE WOULD BE ANY COORDINATION OF ALTERNATIVES BEING PUT FORWARD? CHAIRMAN RESPONDED THAT WG WAS COLLECTING AS MANY ALTERNATIVES AS POSSIBLE AT THIS STAGE AND THAT CHAIRMAN OF SC II AND SC II WG WOULD WORK WITH DELEGATIONS TO REDUCE ALTERNATIVES.

9. SENEGAL PROPOSED FOLLOWING TEXT ON TERRITORIAL SEA.
"ANY COASTAL STATE SHALL HAVE THE RIGHT TO
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ESTABLISH A TERRITORIAL SEA OF 12 NAUTICAL
MILES MEASURED FROM APPLICABLE BASELINES
SUBJECT TO THE CONDITION THAT THE RIGHT OF A
STATE IS RECOGNIZED TO ESTABLISH AN EXCLUSIVE
ECONOMIC ZONE NOT EXCEEDING 200 NAUTICAL MILES
MEASURED FROM THE SAME BASELINES USED FOR THE
TERRITORIAL SEA".

10. TANZANIA AGREED WITH SENEGAL SUBJECT TO LEARNING NATURE AND CHARACTERISTICS OF ECONOMIC ZONE. SIERRA LEONE WANTED FOLLOWING FOOTNOTE TO SENEGAL'S PROPOSAL:

"THIS PROVISION DOES NOT IN ANY WAY PREJUDICE THE POSITION OF ANY STATE WHICH ALREADY HAS A TERRITORIAL SEA EXCEEDING 12 NAUTICAL MILES."

CHAIRMAN STATED THAT WG HAD DECIDED NOT TO AMEND OR FOOTNOTE OTHER'S PROPOSALS.

11. USSR INTERVENED TO ASK BULGARIA TO INCLUDE PHRASE CONCERNING STRAITS USED FOR INTERNATIONAL NAVIGATION IN ITS PROPOSAL. (BULGARIA AGREED TO WORDING WITH SLIGHT CORRECTION.)

12. MADAGASCAR SUPPORTED SIERRA LEONA. LEBANON ASKED SENEGAL TO WITHDRAW ITS PROPOSAL BECAUSE IT HAD CONFUSED NEGOTIATING WITH NORMS OF POSITIVE LAW. CAMEROON SUPPORTED SENEGAL WITH SAME RESERVATIONS EXPRESSED BY TANZANIA.

13. AUSTRALIA POINTED OUT THAT STATES DID NOT HAVE TO RESERVE THEIR POSITIONS ON EVERY PROPOSAL PUT FORWARD WITH WHICH THEY DID NOT AGREE. REP EXPRESSED SYMPATHY WITH MAKING PROVISION FOR STATES SUCH AS SIERRA LEONA WHICH HAD ALREADY DECLARED TERRITORIAL SEA BROADER THAN 12. HE ALSO WELCOMED STATEMENT BY CAMEROON THAT IT WOULD REDUCE ITS 18 MILE TERRITORIAL SEA TO 12 IN MULTILATERAL SETTLEMENT ON ECONOMIC ZONE.

14. SENEGAL POINTED OUT THAT AFRICAN HEADS OF STATE HAD NOT SPECIFIED TERRITORIAL SEA LIMIT BECAUSE THEY WERE AWAITING OUT-COME ON EXCLUSIVE ECONOMIC ZONE. KENYA SUPPORTED SENEGAL AND STATED IT WOULD ACCEPT 12 MILES IF EXCLUSIVE ECONOMIC ZONE
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